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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,040	02/04/2002	Michael J. Wookey	P7223	4917
33438	7590	01/17/2006		
HAMILTON & TERRILE, LLP P.O. BOX 203518 AUSTIN, TX 78720			EXAMINER NGUYEN, QUANG N	
			ART UNIT	PAPER NUMBER
			2141	
DATE MAILED: 01/17/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/067,040

Applicant(s)

WOOKEY ET AL.

Examiner

Quang N. Nguyen

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1. This Office Action is in response to the Response to Non-Final Office Action filed on 11/30/2005. Claims 1-19 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Chiang et al. (US 2004/0221292 A1), hereinafter “Chiang”.**

4. As to claim 1, Chiang teaches an apparatus for interfacing between a system management system (*server*) and a remote services system (*remote client*), comprising:

a systems management application program interface (*i.e., a server application communicates with a remote client via a data transformer through an interface with the application server interface domain*) (Chiang, Fig. 1 and paragraph [0025]);

a systems management integrator application program interface providing a normalization point where data from the systems management system is normalized to a remote services system standard (*a connector or a data transformer, which inherently comprises network interfaces to communicate with various application servers and remote clients, is provided to convert requests, transactions, or messages from the languages running on the application server to the language of the remote client application, i.e., normalizing data from the systems management system to a remote services system standard*) (Chiang, paragraphs [0030-0032], [0039] and [0079-0084]);

an integrator coupled between the systems management application program interface and the systems management integrator application program interface collecting and detecting information from the systems management system (*i.e., the data transformer detecting and collecting, then converting requests, transactions, or messages from the languages running on the application server to the target languages*) (Chiang, paragraphs [0030-0032], [0039] and [0079-0084]).

5. As to claims 2-3, Chiang teaches the apparatus of claim 1, wherein the systems management integrator application program interface includes forward calls and back-channel calls components providing forward calls and back-channel calls between the systems management system and the remote services system (*inherently, the data transformer/connector must include network interfaces/components to transmit/forward the converted requests, transactions and/or messages between disparate servers and end user applications*) (Chiang, paragraphs [0039] and [0085-0086]).

6. As to claim 4, Chiang teaches the apparatus of claim 1, wherein the systems management system integrator program interface provides generic message interfaces as well as specific message interfaces enabling the remote services system to handle a message without having to inspect the contents of the message (*wherein the meta-model data abstracts the contents of the message away from the wrapper of the message*) (Chiang, paragraphs [0028] and [0034-0035]).

7. As to claims 5-6, Chiang teaches the apparatus of claim 1, wherein the specific message interfaces include an alarm/event message (Chiang, paragraph [0199]).

8. As to claim 7, Chiang teaches the apparatus of claim 4, wherein the generic message interfaces include data; the data including a class and the integrator sets the class of the data (*wherein the type descriptor meta-model defines data types, data structures and encapsulates objects*) (Chiang, paragraphs [0034-0035]).

9. As to claim 8, Chiang teaches the apparatus of claim 3, wherein the systems management integrator application program interface provides support for declaring and requesting capabilities of a support instance at registration time via the forward channel, and the back-channel after registration time (*"Handshaking is the exchange information between two applications and the resulting agreement about which languages, capabilities, and protocols to use*) (Chiang, paragraphs [0057] and [0221]).

10. As to claim 9, Chiang teaches the apparatus of claim 1, wherein the systems management integrator application program interface provides an interface between the integrator and a remote services infrastructure (*Chiang's connector is a dynamic, run-time interface between platforms that stores the functions and parameters of the target platform or program, and binds with the target platform program in real time*) (Chiang, paragraph [0059]).

11. As to claim 10, Chiang teaches the apparatus of claim 8, wherein the systems management integrator application program interface is coupled to a remote services proxy of the remote services infrastructure (*Chiang's connector is configured and controlled to communicate among disparate end user applications, among disparate servers, and between disparate servers and end user applications, wherein one could be implemented as a remote services proxy*) (Chiang, paragraphs [0039] and [0059]).

12. Claims 11-19 contain similar limitations of claims 1-10; therefore, they are rejected under the same rationale.

Response to Arguments

13. In the remarks, Applicant argued in substance that

(A) Prior Arts does not teach or suggest “a systems management integrator application program interface providing a normalization point where data from the systems management system is normalized to a remote services system standard and an integrator coupled between the systems management application program interface and the systems management integrator application program interface collecting and detecting information from the systems management system”, as recited in claim 1.

As to point (A), **Chiang** teaches a connector or a data transformer, which inherently comprises network interfaces to communicate with various application servers and remote clients, is provided between the applications servers and the remote client applications to convert requests, transactions, or messages from the languages running on the application server to the language of the remote client applications, (*i.e., normalizing data from the systems management system to a remote services system standard*), wherein the data transformer detects and collects, then converts requests, transactions, or messages from the languages running on the application server to the target languages to transmit to the remote client applications (**Chiang, paragraphs [0030-0032], [0039] and [0079-0084]**).

(B) Prior Art does not teach or suggest “a systems management integrator application program interface includes forward calls and back-channel calls components providing forward calls and back-channel calls between the systems management system and the remote services system”, as claimed in claim 11.

As to point (B), **Chiang** teaches the data transformer/connector must inherently include network interfaces/components to transmit/forward the requests, transactions and/or messages between disparate servers and end user applications after converting them to appropriate target language (*i.e., after normalizing the data to a remote services system standard*) (**Chiang, paragraphs [0039] and [0085-0086]**).

The portability of the forward calls and back-channel calls components are also realized in the prior art, wherein the Common Application Metamodel tool is used to simplified the design process by facilitating tooling solutions, data translation, and communication and collaboration between dissimilar and disparate applications (**Chiang, paragraphs [0025] and [0079-0086]**). The approach is consistent with the remote service delivery method and system used by the applicant (**Specification, paragraphs [0008] and [0034-0035]**).

14. Applicant's arguments as well as request for reconsideration filed on 11/30/2005 have been fully considered but they are not deemed to be persuasive.

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 **JOHN FOLLANSBEE**
SUPERVISORY PATENT EXAMINER
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